

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **May 14, 2002**

AGENDA ITEM NO.: **18**

CONSENT:

REGULAR: **X**

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: **Public Hearing Regarding The Donation Of City-Owned Property At 11 Ninth Street Known As The N&W Signal Tower.**

RECOMMENDATION:

Approve the donation of City-owned property at 11 Ninth Street known as the N&W Signal Tower (tax map # 45-13-01) and immediate surrounding land. In addition, grant a non-exclusive easement for parking east of the structure.

SUMMARY:

In September 2002, the City issued a Request For Proposals (RFP) to sell the Signal Tower. It is located on Blackwater Creek and accessible from Ninth Street. It was agreed by staff and City Council that Amazement Square's proposal best followed the downtown/riverfront master plan. It will serve as a café open to the general public. Currently, there are no food or beverage retail establishments in the riverfront area. Amazement Square offers no dollars for the building or land because of the high cost to renovate the structure estimated at \$120,000. The structure is located on a 1.564 acre piece of property between the N&W railroad track and Blackwater Creek. The land is assessed at \$34,000 and the building is assessed at \$1,000. The building is a two story structure, the floor plate is 17.5' x 35' totaling 1,225 square feet. In addition to the structure, Amazement Square wishes to acquire the land directly below the building and extending from the perimeter eight feet in the western and southern directions, six feet in the northern direction and twenty feet in the eastern direction to accommodate an outdoor seating area. The total land area is 1,985 square feet (31.5 x 63') valued at \$993.

PRIOR ACTION(S):

September 2001: City issues RFP for sale of Signal Tower

February 12, 2002: City Council agreed with staff during a closed meeting that Amazement Square was the best applicant and to proceed with the donation of property.

BUDGET IMPACT: None.

CONTACT(S): Rachel Flynn 847-1508/253

ATTACHMENT(S):

- Resolution
- Map of building, land and parking area.

REVIEWED BY:

RESOLUTION

BE IT RESOLVED That City Council hereby approves the donation of the building and land at 11 Ninth Street known as the N&W Signal Tower (Valuation Map No 45-13-01) to Amazement Square. The land area encompasses the perimeter of the existing building and extends eight feet beyond the perimeter in the western and southern directions, six feet in the northern direction and twenty feet in the eastern direction to accommodate an outdoor eating area, mechanical equipment pads and entries. The total square footage of land is 1,985 square feet. The City shall have first option to repurchase the property for \$1.00 in the event the building is destroyed.

BE IT FURTHER RESOLVED That public access easements for ingress and egress to the property from Ninth Street will continue and a non-exclusive easement for parking will be provided on the lot known as Valuation Map No. 45-13-01. The City maintains the right to permanently rescind the parking easement if the City determines it needs the property for any public purpose or project. As provided in Section 15.2-2100 of the Code of Virginia, the non-exclusive parking easement granted to Amazement Square shall be for a maximum period of forty years..

BE IT FURTHER RESOLVED That Amazement Square will pay for any parking lot and pathway improvements and water/sewer extensions as necessary. Amazement Square must receive approval from Community Planning & Development and Public Works prior to construction of improvements.

BE IT FURTHER RESOLVED That the City Manager is authorized to sign the necessary documents to convey the property and to grant the non-exclusive easements to Amazement Square.

Adopted:

Certified:

Clerk of Council

112L